

14. (Unamended) An observation optical apparatus according to Claim 11, wherein said correction optical system is disposed at a ray converging portion of said observation optical apparatus.

15. (Unamended) An observation optical apparatus according to Claim 11, wherein said correction optical system is disposed coaxially with an optical axis of said observation optical apparatus.

REMARKS

Applicant requests favorable reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 11 through 15 are pending in the present application. Claim 11 is the sole independent claim.

Claim 11 has been amended. No new matter is believed to have been added.

Claims 11 through 15 stand rejected under 35 U.S.C. §§ 112, second paragraph, as being indefinite. While not conceding the propriety of the rejection, and solely to expedite prosecution, Applicant has amended independent Claim 11, inter alia, in view of the Examiner's comments. Applicant submits that Claims 11 through 15 now even more fully satisfy the requirements of 35 U.S.C. §§ 112, second paragraph and respectfully request reconsideration and withdrawal of this rejection.

Claims 11 through 15 stand rejected under the judicially-created doctrine of obviousness-type double patenting over Claims 1 and 2 of parent U.S. Patent No. 6,246,520 (Iizuka) in view of Japanese Laid-Open Patent Application No. 3-235927 (Yasuhiko). All rejections are respectfully traversed.

Amended independent Claim 11 recites, inter alia, an erecting system for reflecting a light beam from an objective system and directing the light beam to an eyepiece system so that an image observed by the eyepiece system is in an erect state, the erecting system including a first prism provided with a surface of incidence and a second prism provided with a surface of emission.

However, Applicant respectfully submits that Claims 1 and 2 of Iizuka and Yasuhiko, either alone or in combination (assuming arguendo that these citations can properly be combined), fail to disclose or suggest at least the aforementioned feature as recited, inter alia, in Claim 11.

For the foregoing reasons, Applicant submits that independent Claim 11 patentably defines the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as the base claim from which they depend and further due to the additional features that they recite. Separate and individual consideration of each of the dependent claims is respectfully requested.

Applicant believes the present Amendment is responsive to each of the points raised by the Examiner in the Official Action and submits that the present application is in allowable form. Favorable consideration of the claims and passage to issue of the present application at the Examiner's earliest convenience earnestly are solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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TC 2800 MAIL ROOM

VERSION WITH MARKINGS TO SHOW CHANGES MADE TO THE CLAIMS

11. (Amended) An observation optical apparatus, comprising:
- an objective system;
 - an eyepiece system;
 - an erecting system for reflecting a light beam from said objective system and directing the light beam to said eyepiece system so that an image observed by said eyepiece system [may be] is in an erect state, said erecting system including a first prism provided with a surface of incidence and a second prism provided with a surface of emission;
 - a correction optical system constituted as a part of said objective system, said correction system correcting a shake of an image caused by a shake of said observation optical apparatus;
 - a sensor for detecting the shake of said observation optical apparatus;
 - a driver for driving said correction optical system;
 - a detector for detecting a drive amount of said correction optical system; and
 - a controller for controlling the driving of said driver based on an output from said sensor and an output from said detector.